

**TENNESSEE BOARD OF ALCOHOL AND DRUG ABUSE COUNSELORS  
MINUTES**

**DATE:** April 13, 2012

**TIME:** 9:00 a.m., CST

**LOCATION:** Health Related Boards  
Poplar Room  
227 French Landing, Suite 150  
Nashville, TN 37243

**BOARD MEMBERS**

**PRESENT:** Richard Terry Kinnaman, LADAC, Chair  
Jacques Tate, LADAC  
Sherry Butler, LADAC  
Garner Cagle, LADAC, Secretary  
Major McNiel, Citizen Member

**STAFF PRESENT:** Melody Spitznas, Board Administrator  
Stacy Tarr, Interim Board Director  
Elizabeth Miller, Director of Health Related Boards  
Lindsay Vaughan, Assistant General Counsel  
Mark Waters, Deputy General Counsel

Mr. Kinnaman, Chair, called the meeting to order at 9:08 a.m. He declared a quorum to be present.

**Minutes**

Mr. Tate made a motion, seconded by Mr. Cagle, to approve the January 27, 2012 minutes as written. The motion carried.

**Dr. Randy Jessee**, Chairman of the Addictions Committee of the Tennessee Association of Mental Health Organizations (TAMHO), shared information with the Board regarding co-occurring disorders. Mr. Jessee stated this is a collaborative effort with TAMHO, the National Alliance on Mental Illness (NAMI) and the Tennessee Association of Alcohol, Drug and other Addiction Services (TAADAS) to increase awareness among treatment providers, consumers, family and communities. Mr. Kinnaman asked who would handle this in a facility. Mr. Tate stated that in his agency, they hire or contract with a psychiatrist, psychologist, social worker or a professional counselor to work with the licensed alcohol and drug abuse counselor (LADAC). Mr. Kinnaman expressed concern regarding LADAC's being cross-trained and the inability to diagnose/treat anything other than substance abuse. Mr. Tate stated that only a medical doctor,

psychologist, etc. would diagnose/treat mental illness. Mr. Kinnaman asked who would oversee the LADAC. Mr. Tate stated that would be overseen by the clinical supervisor. Mr. Kinnaman conveyed he has serious concerns regarding LADAC's staying within their scope of practice.

**Mr. Rene Nunez**, with ICDC College was present to request approval of ICDC's online education for initial licensure with the Board. Mr. Nunez stated that ICDC has a commitment to its students and the State of Tennessee to provide them with **a great educational experience?**. All members voted in the affirmative. Ms. Tiffany Leek, LADAC, stated she received her master's degree at Hazelden College and it's an accredited school. Ms. Leek stated that the Board may want to make sure any online school applying to the Board for approval is an accredited school. Mr. Nunez stated that ICDC is accredited by the Accrediting Commission of Career Schools and Colleges (ACCSC) Commission of Career Schools and Colleges (ACCSC), which is recognized by the U.S. Department of Education. Mr. Kinnaman thanked Mr. Nunez for the information and stated the Board would consider adding online training to the rulemaking hearing agenda to be held at the July 13, 2012 Board meeting.

### **OGC Report**

Ms. Vaughan stated there is one (1) case currently open in the Office of General Counsel.

Ms. Vaughan informed the Board that HB 2233, which would amend Title 68, Chapter 24, Part 6, by creating two (2) tiers of licensure for alcohol and drug abuse counselors and a registration for interns of alcohol and drug abuse counseling was taken off notice on February 21, 2012. The bill also contains a title protection provision, which provides that no person other than one holding a title authorized by Part 6 may use any such titles unless the person is licensed. The Tennessee Association of Addiction Professionals (TAADAC) and TAADAS did not support the title protection provision. A representative from TAMHO stated they did not support the changes, but the original HB by Representative Casada. Mary Linden Salter, representing TAADAS, stated that TAADAS supports the tiered system.

### **Investigative Report**

There are currently four (4) open complaints in the Office of Investigations.

Three (3) complaints were received in the month of December 2011. One (1) complaint was received in March 2012.

### **Disciplinary Report**

Two (2) practitioners are currently being monitored.

### **Financial Report**

Ms. Miller reviewed the financial report with the Board and stated the Board's expenditures totaled \$55,019.56 and the revenues were \$79, 544.42 for FY 2011. The current year net totaled \$24,524.86.

## **Administrator Report**

There are currently 434 actively licensed alcohol and drug abuse counselors.

From January 11, 2012 to April 10, 2012, six (6) new applications were received, one (1) license was retired, and one (1) license expired.

## **New Licensees**

Mr. Cagle made a motion, seconded by Mr. Tate, to approve the following newly licensed alcohol and drug abuse counselors:

**James David Bedwell**  
**Jonathan Paul Buffington**  
**Wanda P. Kelley**  
**Kasey Collins Patterson**  
**William Antonio Saulsberry**  
**Rachel Bingham Shotts**  
**Greg Stefaniak**

The motion carried.

## **Reinstatements**

Mr. Cagle made a motion, seconded by Ms. Butler, to approve the following alcohol and drug abuse counselor for reinstatement of his license:

**Joe L. Shaw**

The motion carried.

## **NCAC (Written) Examination Results**

Four (4) candidates sat for the written examination in March 2012 and three (3) of the four (4) candidates passed the exam. Mr. Tate made a motion, seconded by Ms. Butler, to approve the exam results, permitting those who passed eligible to sit for the oral examination. The motion carried.

## **Oral Examination Results- Kathy Benson**

Six (6) candidates sat for the oral examination on February 17, 2012. Three (3) of the six (6) candidates passed the exam. Mr. Tate made a motion, seconded by Mr. McNeil, to approve the results of the oral exam and have the applicants move on to the next level in pursuing licensure. The motion carried.

Ms. Benson stated she asked applicants that sat for the oral examination for permission to share the results of their examination with their supervisors and all applicants agreed.

Ms. Benson stated she hosted an Oral Examiner Training Event on March 30, 2012 and trained seven (7) new examiners. Ms. Benson stated she would like to solicit a host to hold training in East Tennessee. Mr. Tate made a motion, seconded by Ms. Butler for Ms. Benson to seek a host for training in East Tennessee. The motion carried.

### **Correspondence**

The Board reviewed correspondence from **Catherine Boilott**. Ms. Boilott asked the Board grant her a waiver of her 2010 continuing education requirement and not be issued an Agreed Citation. Mr. McNiel made a motion, seconded by Ms. Butler to deny the request for a waiver, but grant a six (6) month extension in order to obtain the deficient hours and issue Ms. Boilott an Agreed Citation. The motion carried.

The Board reviewed correspondence from **Kathy Benson** asking for clarification regarding a potential licensee who wants to attend the 10 primary function classes and at the same time receive 10 hours of credit for clinical supervision. Mr. Tate made a motion, seconded by Mr. McNiel, that individuals cannot receive credit for both supervision and classroom hours obtained simultaneously. The motion carried.

The Board reviewed correspondence from **Erin Watson** asking the Board to review her oral exam tape regarding and reconsider the oral examiner's recommendation that she failed the oral exam given on February 17, 2012. Mr. Cagle made a motion, seconded by Mr. Tate that Ms. Watson be allowed to retake the oral examination at no cost. The motion carried.

The Board reviewed correspondence from **William Buford**. Mr. Buford asked the Board grant him a waiver of his 2010 continuing education requirement and not be issued an Agreed Citation. Mr. McNiel made a motion, seconded by Ms. Butler to deny the request for a waiver, but grant a six (6) month extension in order to obtain the deficient hours and issue Mr. Buford an Agreed Citation. The motion carried.

### **Continuing Education Requests**

The Board reviewed a request for approval of a seminar titled "**Spirituality and Mental Health**" to be held June 13, 2012 at Trevecca Church, 335 Murfreesboro Pike, Nashville, TN 37210 submitted by Tom Starling, Ed.D., President of Mental Health America of Middle Tennessee (formerly the Mental Health Association of Middle TN) for 4.5 continuing education hours.

Mr. Tate made a motion, seconded by Mr. Cagle to approve the seminar. The motion carried.

The Board reviewed a request for approval for a workshop titled "**Workplace Violence**" to be held April 25, 2012 in Jackson, TN and April 26, 2012 in Cookeville, TN for 6 hours in crisis

intervention and 1 hour in ethics submitted by Tom Starling, Ed.D., President of Mental Health America of Middle Tennessee. Mr. Tate made a motion, seconded by Ms. Butler, to approve the workshop. The motion carried.

The Board reviewed a request for approval for a workshop titled **“Ethics & Caring”** submitted by Kathy Benson to be held in June and October 2012. Mr. Tate made a motion, seconded by Ms. Butler, to approve the workshop. The motion carried.

### **Agreed Citations**

The Board reviewed an Agreed Citation for Elizabeth Andrews, license number 625. Ms. Andrews was issued an Agreed Citation for failing to properly maintain sufficient continuing education hours for the audit period 2009 and 2010. Ms. Andrews agreed to pay the \$100 civil penalty and obtain 60 continuing education hours within 90 days of ratification of the citation by the Board. Ms. Butler made a motion, seconded by Mr. Tate to accept the Agreed Citation. The motion carried.

### **Other Board Business**

Ms. Benson stated that the task force to develop an approved core function curriculum has not yet met. The task force is scheduled to meet on Friday, May 18, 2012 from 1:00 p.m. to 5:00 p.m. and will report findings back to the Board at its next meeting in July.

### **Rule Changes**

The Board discussed language for the tiered system for interns, LADAC 1 and LADAC 2. Mr. Cagle made a motion, seconded by Ms. Butler to adopt the following language:

Section 4. (a) To qualify initially as a “registered alcohol and drug abuse counselor intern”, an applicant shall make proper application to the board and shall: (1) Have a high school diploma or a general equivalency diploma; (2) Have completed twenty (20) hours of alcohol and drug abuse training, and ten (10) hours of such training shall be within the primary functions listed in §68-24-606; (3) Have completed six (6) hours of alcohol and drug abuse professional ethics training; and (4) Demonstrate documentation of six (6) months of current employment in good standing at an alcohol and drug abuse treatment program or recovery support program in a nonclinical role under the direct supervision of a qualified supervisor as deemed by rules of the board. If the qualified supervisor is not an employee of the treatment or recovery support program, a notarized work agreement or contract with a qualified supervisor must be provided as documentation of said supervision. (b) To maintain the qualifications of a “registered alcohol and drug abuse counselor intern”, an intern shall biennially: (1) Demonstrate documentation of current and ongoing employment in good standing at an alcohol and drug abuse treatment program or recovery support program under the supervision of a qualified supervisor as deemed by the rules of the board. If the qualified supervisor is not an employee of the treatment or recovery support program, a notarized work agreement or contract with a qualified supervisor must be provided as documentation of said supervision; (2) Demonstrate annual proof of

completion of twelve (12) hours of continuing education; and (3) Demonstrate annual proof of completion of three (3) hours of alcohol and drug abuse professional ethics training.

Section 5. A “registered alcohol and drug abuse counselor intern” may provide alcohol and drug abuse counseling services in an alcohol and drug abuse treatment program or a recovery support program under the direct supervision of a qualified supervisor as defined by rules of the board. Such services may include, but are not limited to, the primary functions listed in §68-24-606.

Section 6. (a) To qualify initially as a “Level I licensed alcohol and drug abuse counselor”, an applicant shall make proper application to the board and shall: (1) Have a high school diploma or a general equivalency diploma; (2) Have completed six thousand (6,000) hours of qualified and supervised work where the applicant has performed all of the primary functions listed in §68-24-606 while providing alcohol and drug abuse counseling services; (3) Have completed two hundred seventy (270) hours of alcohol and drug abuse counseling board-approved education with six (6) of such hours being in alcohol and drug abuse professional ethics training; (4) Have completed a written case study; (5) Have completed a written philosophy of treatment; (6) Have passed a jurisprudence examination approved by the board; and (7) Have passed the National Association of Alcoholism and Drug Abuse Counselors/National Certification Commission’s (NAADAC/NCC) National Certified Addiction Counselor (NCAC) I written examination. (b) To maintain the qualifications of a “Level I alcohol and drug abuse counselor”, a counselor shall biennially: (1) Demonstrate annual proof of completion of twelve (12) hours of continuing education; and (2) Demonstrate annual proof of completion of three (3) hours of alcohol and drug abuse professional ethics training.

Section 7. A “Level I alcohol and drug abuse counselor” may provide alcohol and drug abuse counseling services in an alcohol and drug abuse treatment program or a recovery support program. Such services shall include the primary functions listed in §68-24-606.

Section 8. To qualify initially as a “Level II licensed clinical alcohol and drug abuse counselor”, an applicant shall make proper application to the board and shall (1) (A) Have a bachelor’s degree or higher level college degree from an accredited institution of higher learning, and submit an official transcript, and have completed two (2) years of full-time experience or four thousand (4,000) of experience as an alcoholism and drug abuse counselor, and have completed two hundred seventy (270) hours of alcohol and drug abuse counseling board-approved education and training in the primary functions listed in §68-24-606; or (B) Have a master’s degree or higher level college degree from an accredited institution of higher learning, and submit an official transcript, and have completed one (1) year of full time experience or two thousand (2,000) hours of experience as an alcoholism and drug abuse counselor, and have completed one hundred twenty (120) hours of alcohol and drug abuse counseling board-approved education and training in the primary functions listed in §68-24-606; and (2) Have completed six (6) hours of alcohol and drug abuse professional ethics training; (3) Have passed a jurisprudence examination approved by the board; (4) Have passed the National Association of Alcoholism and Drug Abuse Counselors/National Certification Commission’s (NAADAC/NCC) National Certified Addiction Counselor (NCAC) II written examination; and (5) Have passed an oral examination demonstrating competency in the primary functions listed in §68-24-606. (b) To maintain the qualifications of a “Level II” licensed clinical alcohol and drug abuse counselor”, a

counselor shall biennially: (1) Demonstrate annual proof of completion of not less than twelve (12) hours of continuing education; and (2) Demonstrate annual proof of completion of three (3) hours of alcohol and drug abuse professional ethics training.

Section 9. (a) A Level II licensed clinical alcohol and drug abuse counselor may provide alcohol and drug abuse counseling services in an alcohol and drug abuse treatment program or a recovery support program or in private practice. Such services shall include the primary functions listed in §68-24-606. (b) A Level II licensed clinical alcohol and drug abuse counselor may apply to the board to become a qualified supervisor after such Level II counselor has met the board's requirements for such credential.

Section 10. Each person presently licensed as an alcohol and drug abuse counselor is licensed as a "Level II licensed clinical alcohol and drug abuse counselor". The board may not impose any additional fee or require any additional application for the issuance of a license pursuant to this section.

Include the definition of formal classroom training regarding the 270 hours; include online education, but must be approved by the Board and accredited by THAF; clean up rules 1200-30-01-(6) (a) (1) regarding reactivation of a retired license to change completion of 30 hours of continuing education to 15 hours and 1200-30-02-.12 (c) 2 regarding multi-media change maximum of 15 multi-media hours to six (6).

Rule needs to require jurisprudence exam to be taken by Levels I & II, but not interns. The motion carried.

### **Application Review**

Mr. Cagle made a motion, seconded by Mr. McNeil, to approve **Nancy Routh** to sit for the written examination. The motion carried.

Mr. Cagle made a motion, seconded by Mr. McNeil, to approve **Mufid Abdullah** to sit for the oral examination. . The motion carried.

Mr. McNeil made a motion, seconded by Ms. Butler, to approve **Linda Loftis** to sit for the written examination pending receipt of one letter of recommendation. The motion carried.

Ms. Butler made a motion, seconded Mr. Tate, to approve **Sheila Nickell** to sit for the written examination pending receipt of a criminal background check, three (3) continuing education hours in ethics and a passing score on the jurisprudence examination. The motion carried.

Mr. Cagle made a motion, seconded by Ms. Butler, to approve **Cindy Ewing** to sit for the written examination. The motion carried.

Ms. Butler made a motion, seconded by Mr. Cagle to approve **Patricia James** to sit for the oral examination. The motion carried.

Mr. Cagle made a motion, seconded by Mr. McNeil to approve **Alton Jack Dills** to sit for the written examination. The motion carried.

Mr. Tate made a motion, seconded by Mr. McNeil to deny the application of **Walter Henderson** pending receipt of his criminal background history, supervisor evaluation and completed worksheets. The motion carried.

With no other Board business to conduct, Mr. Tate made a motion, seconded by Ms. Butler, to adjourn the meeting at 1:10 p.m. The motion carried.

***Ratified by the Board on July 13, 2012.***